

November 10, 2015

MINUTES of the a Regular Meeting of the Mayor and Board of Council of the Town of Secaucus, County of Hudson, State of New Jersey held on the 10th day of November at 7:00 P.M Secaucus Municipal Government Center, 1203 Paterson Plank Road, Secaucus, NJ in Chamber I.

PLEDGE OF ALLEGIANCE

The following statement was read by Town Clerk, Michael Marra:

"Adequate notice for this meeting, as required by the Open Public Meetings Act, has been provided by the filing of the notice of Meetings with the Municipal Clerk, the posting of said notice on the official bulletin board in the Municipal Building, and the delivery of same to the Secaucus Home News on December 25, 2014.

This body wishes to advise you that in accordance with N.J.A.C.5:23-11.1, et seq. of the Indoor Air Quality Standards and Procedures for Buildings Occupied by Public Employees, smoking anywhere in this public building is prohibited by law.

Present:	Councilmembers:	Michael Gonnelli
		Gary Jeffas
		Robert Costantino
		William McKeever
		James Clancy
		Mark Dehnert
Absent:		Susan Pirro

Matthew Bienkowski was sworn in as a Secaucus Volunteer Firefighter.

A Certification of Accreditation was presented to the Secaucus Police Department.

Chief Flaherty and Mayor Gonnelli offered comments on the effort that was exercised to achieve this accreditation. They also thanked Lt. Dennis Miller for his efforts in heading up the process.

The first item on the agenda is as follows:

APPROVAL OF MINUTES

The following resolution was read: No. 2015-400

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, that the minutes of the Regular Meetings of September 22, 2015, October 13, 2015 and October 27, 2015 are hereby approved.

Councilman Clancy moved to approve the foregoing resolution, seconded by Councilman Costantino.

AYES: Jeffas, Costantino, McKeever, Clancy, Dehnert, Gonnelli
NAYS: None
ABSENT: Pirro

Motion
carried.

The following ordinance was read for public hearing: No. 2015-45

AN ORDINANCE REPEALING CHAPTER 115 OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED
"SMOKING IN TOWN BUILDINGS"

WHEREAS, the Town had previously adopted Chapter 115 of the Code of the Town of Secaucus placing restrictions on smoking in municipal buildings; and

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WHEREAS, the Mayor and Council have determined that Chapter 115 should be repealed as the Town's control of smoking is covered by other Chapters of the Code, which reflect the current laws and regulations in the State of New Jersey, including the New Jersey Smoke Free Air Act.

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, as follows:

1. Chapter 115 of the Code of the Town of Secaucus entitled "Smoking in Town buildings" adopted September 22, 1998 under Ordinance Number 98-25 be repealed in its entirety. Relevant provisions are contained in Chapter 116 of the Code of the Town of Secaucus.
2. This repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed.
3. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.
4. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to that section, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed to be valid and effective.

This shall take effect immediately upon passage and publication in accordance with the law.

Mayor Gonnelli asked if anyone wished to be heard regarding the foregoing proposed ordinance. There being no one requesting the floor, Councilman Dehnert moved that the public hearing be closed, seconded by Councilman Costantino.

AYES: Jeffas, Costantino, McKeever, Clancy, Dehnert, Gonnelli
NAYS: None
ABSENT: Pirro

Motion
carried.

Council Clancy moved that the foregoing ordinance be finally adopted, seconded by Councilman Jeffas.

AYES: Jeffas, Costantino, McKeever, Clancy, Dehnert, Gonnelli
NAYS: None
ABSENT: Pirro

Motion
carried.

The following ordinance was read for public hearing: No. 2015-46

AN ORDINANCE UPDATING CHAPTER 116 OF THE CODE OF THE TOWN OF SECAUCUS TO
ADDRESS THE USE OF TOBACCO PRODUCTS IN PUBLIC AREAS

WHEREAS, the Town had previously adopted Chapter 116 of the Code of the Town of Secaucus placing restrictions on smoking in municipal buildings; and

WHEREAS, the Mayor and Council have determined that updates to this Chapter are needed to reflect the Town's control of smoking devices, update locations and penalty provisions in the interest of public health; and

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, as follows:

5. The following sections of Chapter 116 of the Code of the Town of Secaucus entitled "Use of Tobacco in Public Areas" shall be amended as follows. (deletions are reflected by ~~crossouts~~; additions are in bold).

§ 116-1. Definitions.

As used in this chapter, the following words shall have the following meanings:

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~~ENCLOSED AREA — All areas between a floor and a ceiling, extending to the outer perimeter walls of the structure.~~

ELECTRONIC SMOKING DEVICE - Any product containing or delivering nicotine or any other substance intended for human consumption that can be used by a

person to simulate smoking through inhalation of vapor or aerosol from the product. The term includes any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor.

EMPLOYEE — Any person who performs services for or on behalf of the Town of Secaucus, whether or not compensated, and includes seasonal, temporary and part-time employees.

MUNICIPAL BUILDINGS — All structures owned, leased, rented and/or operated by the Town of Secaucus, and/or occupied by town employees and used for official business of the Town of Secaucus.

~~PARKS AND RECREATIONAL FACILITIES — All public parks, playgrounds and ball fields publicly owned or leased by the Town of Secaucus upon which the public is invited or upon which the public is permitted and where individuals gather for recreational activities, including all areas adjacent to such facilities, including, but not limited to, any parking area, driveway or drive aisle.~~

~~SMOKING — The burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe or any other matter or substance which contains tobacco or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic smoking device.~~

PERSON — Any member of the general public and includes anyone who enters into a building of the Town of Secaucus for any purpose.

PUBLIC AREAS — Any area that is owned, operated or leased by the Town of Secaucus and open to the general public for recreational purposes, regardless of any fee or age requirement including all areas adjacent to such facilities, including, but not limited to, any parking area, driveway or drive aisle. The term "recreational area" includes but is not limited to parks, picnic areas, playgrounds, sports fields, golf courses, walking paths, gardens, bike paths, picnic areas, sports fields, walking paths, swimming pools, ice skating rinks, playgrounds and other outdoor areas within the control of the Town of Secaucus.

SMOKING — The inhaling, exhaling, burning or carrying any lighted or heated cigar, cigarettes, or pipe or any other lighted or heated tobacco or plant product intended for inhalation, including hookahs and marijuana, whether natural or synthetic, in any manner or in any form. "Smoking" also includes the use of an electronic smoking device for the purpose of the prohibition in this Article.

§ 116-2. Prohibition of smoking in public places; signs.

...

- B. Smoking shall be prohibited within a thirty-five (35) foot radius of the front any main entrance or exit of all municipal buildings. No-smoking signs or the international no-smoking symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a diagonal red line through its cross section) shall be clearly, sufficiently and conspicuously posted both on the building and at the thirty-five (35) foot perimeter of the at any main front entrance or exit of all municipal buildings where smoking is prohibited by this chapter. The signs shall be clearly visible to the public and shall contain letters or a symbol which contrast in color with the sign, indicating that smoking is prohibited therein. The sign shall also indicate that violators are subject to a fine.

- C. Smoking shall be prohibited in all public parks and recreation facilities areas owned or leased by the Town of Secaucus and all property owned or leased by the Town of Secaucus upon which the public is invited or upon which the public is permitted and where individuals gather for recreational activities...

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§ 116-4. Violations and penalties.

~~Any person who violates any provision of this chapter shall be subject to a warning for the first offense, a fine of twenty-five dollars (\$25.) for the second offense and a fine not to exceed one hundred dollars (\$100.) for each subsequent offense.~~ Any person who violates any provision of this chapter shall be subject to a fine not to exceed two hundred dollars (\$200.). Any municipal employee found in violation of this chapter may also be subject to discipline in accordance with the provisions of the Town of Secaucus's policies and procedures.

6. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.
7. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to that section, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed to be valid and effective.
8. This Ordinance shall take effect immediately upon passage and publication in accordance with law.

Mayor Gonnelli asked if anyone wished to be heard regarding the foregoing proposed ordinance. There being no one requesting the floor, Councilman Jeffas moved that the public hearing be closed, seconded by Councilman Costantino.

AYES: Jeffas, Costantino, McKeever, Clancy, Dehnert, Gonnelli
NAYS: None
ABSENT: Pirro

Motion
carried.

Councilman Clancy moved that the foregoing ordinance be finally adopted, seconded by Councilman Dehnert.

AYES: Jeffas, Costantino, McKeever, Clancy, Dehnert, Gonnelli
NAYS: None
ABSENT: Pirro

Motion
carried.

The following ordinance was read for introduction: No. 2015-51

AN ORDINANCE AMENDING SECTION 127-58B OF THE CODE OF THE TOWN OF SECAUCUS
ENTITLED "DESIGNATION OF LOCATIONS AT OR NEAR PRIVATE RESIDENCES"

Councilman McKeever moved that the foregoing ordinance be introduced and passed on first reading, seconded by Councilman Dehnert.

AYES: Jeffas, Costantino, McKeever, Clancy, Dehnert, Gonnelli
NAYS: None
ABSENT: Pirro

Motion
carried.

The following ordinance was read for introduction: No. 2015-52

AN ORDINANCE AMENDING CHAPTER 30 OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED
"RECREATION, DEPARTMENT OF" TO UPDATE PROGRAM FEES

Councilman Dehnert moved that the foregoing ordinance be introduced and passed on first reading, seconded by Councilman Clancy.

AYES: Jeffas, Costantino, McKeever, Clancy, Dehnert, Gonnelli
NAYS: None
ABSENT: Pirro

Motion
carried.

Public hearing for the aforementioned ordinances will be on December 16, 2015.

CONSENT AGENDA-RESOLUTIONS

All matters listed under Consent Agenda are considered to be routine by the Mayor and Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

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The following resolution was read: No. 2015-401

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, that Maritza Carmaco is hereby appointed as an After Care Counselor, effective October 19, 2015, at an hourly rate of \$9.00.

The following resolution was read: No. 2015-402

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, that pursuant to the recommendation of John Schwartz, Recreation Facility Director of the Town of Secaucus, the following persons are hereby appointed as Skate guards and Clerical Personnel for the Secaucus Ice Rink, effective November 4, 2015, at the following hourly rates:

Skateguard	Hourly Rate
Raequan Andrew	\$8.38
Kendryck Ricardo Ceballos	\$8.38
Ranger Rand	\$8.38
Ryan Rand	\$8.38
Clerical	Hourly Rate
Mary Allen Agbing	\$8.38

The following resolution was read: No. 2015-403

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, that the Chief Financial Official be and is hereby authorized to make the following transfers in accordance with N.J.S.A. 40A: 4-58, two thirds of the full membership of the Town Council concurring:

GENERAL

TRANSFER TO:

Administrative & Executive Salaries & Wages	40,000
Administrative & Executive Other Expenses	40,000
Mayor & Council Salaries & Wages	50,000
Municipal Court Other Expenses	10,000
Planning Board Other Expenses	1,000
Environmental Commission Other Expenses	1,000
School Crossing Guards	1,250
Other Expneses	

TRANSFER FROM:

Buildings & Grounds Other expenses	200,000
Community Shuttle Bus Salaries & Wages	23,000
Office of Inspections Salaries & Wages	10,000
Communication & Security Salaries & Wages	40,000
Gasoline Other Expenses	66,750
Environmental Commission Salaries & Wages	40,000

Road Repairs & Maintenance	100,000
Other Expenses	
Sewer System	30,000
Other Expenses	
Social Services	5,000.00
Salaries & Wages	
Parks & Playgrounds	75,000
Other Expenses	
Recreational Activities	15,000
Other Exp/Operating	

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Recreational Activities	10,000	
Other Expenses/Activities		
TOTAL	379,750	379,750

The following resolution was read: No. 2015-404

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, pursuant to the recommendation of Kevin O'Connor, Superintendent for the Department of Public Works, that Sean DeLeo is hereby appointed to the Department of Public Works in the position of part time laborer at the hourly rate of \$10.00 effective Tuesday, October 20, 2015.

The following resolution was read: No. 2015-405

TOWN OF SECAUCUS, COUNTY OF HUDSON
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, pursuant to the recommendation of Kevin O'Connor, Superintendent for the Department of Public Works, that Sabino Petruzzelli is hereby appointed to the position of part time laborer at the hourly rate of \$10.00 effective Wednesday, November 11, 2015.

The following resolution was read: No. 2015-407

RESOLUTION OF THE TOWN OF SECAUCUS, COUNTY OF HUDSON, STATE OF NEW JERSEY,
REQUESTING PLANNING BOARD REVIEW OF A RESOLUTION DESIGNATING CERTAIN PROPERTY
IN THE TOWN OF SECAUCUS AS AN AREA IN NEED OF REHABILITATION

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et. seq., as amended (the "Redevelopment Law") authorizes municipalities to determine whether certain parcels of land in the municipality constitute "areas in need of rehabilitation," as defined in the Redevelopment Law; and

WHEREAS, in accordance with the Redevelopment Law, the municipal council (the "Town Council") of the Town of Secaucus (the "Town") has determined to investigate whether the property defines on Attached A (the "Study Area") should be designated as an area in need of rehabilitation; and

WHEREAS, Richard Arango, P.E, P.P. C.M.E. C.P.W.M, of Remington, Vernick & Arango Engineers, on behalf of the Town, prepared a report fir the Town dated November 9, 2015. A copy of which is attached hereto as Exhibit A (the "Rehabilitation Report"), which finds that the majority of the water and sewer infrastructure within the Study Area is at least 50 years old and in need of repair or substantial maintenance and that a program of rehabilitation will help prevent further deterioration and promote the overall development of the Town; and

WHEREAS, Section 14 of the Redevelopment Law, N,J,S,A, 40A:12A-1 (a) provides the prior to the adoption of a resolution designating property (such as the Study Area) as an area in need of rehabilitation , the Town Council must first submit a copy of the proposed resolution designating such property to the Town planning board (the "Planning Board") for review, and

WHEREAS, the Town Council desires to refer to the Planning Board the Rehabilitation Report of the proposed resolution designating the Study Area, attached hereto as Exhibit B, for review and recommendations;

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Secaucus as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Town Council hereby directs the Town Clerk to transmit a copy of the resolution, inclusive of Attachment A, and Exhibits A and B to the Planning Board for its review.

Section 3. The Planning Board is hereby directed to review and provide its recommendation to the Town Council with respect to the foregoing within forty-

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five (45) days of receipt of this resolution, pursuant to Section 14 of the Redevelopment law, N.J.S.A. 40A:12a-14a.

Section 4. The copy of this resolution shall be available for public inspection at the offices of the Town.

Section 5. This resolution shall take effect immediately.

The following resolution was read:

No. 2015-408

TOWN OF SECAUCUS
COUNTY OF HUDSON, STATE OF NEW JERSEY
RESOLUTION

WHEREAS, the Town of Secaucus wishes to acquire; Wireless Digital Signage and Communications Package Phase II; at its' Shetik Field location; and
WHEREAS, the Town of Secaucus IT Department received Quotes for Phase I of the project located at its' North End Parking Lot; from the following Vendors; for the Digital Signage and Communications Package; and whereas the Town of Secaucus DPW and IT respectively; will assume the responsibility of Installation and Programming; and

WHEREAS, DBSI located in Fairfield, New Jersey; Quoted the amount of \$18,799.00 plus Shipping; and

WHEREAS, SAFARI Telecom located in Riverdale, New Jersey; Quoted the amount of \$22,487.00; and

WHEREAS, VIPER COMMUNICATIONS of Totowa, New Jersey: Quoted the amount of \$11,950.00 for the Wireless Digital Signage and Communications Package; and

WHEREAS, the Certified Municipal Finance Officer certifies the funds are appropriated; and

WHEREAS, the total cost of the project Wireless Digital Signage and Communications Packages Phase I and Phase II, is \$23,900.00; and

WHEREAS, VIPER COMMUNICATIONS meets the criteria of the necessary State of New Jersey Compliance forms; on file with the Purchasing Department; and

WHEREAS, the Company President of VIPER COMMUNICATIONS is Certified under the State of New Jersey as a "SMALL BUSINESS SET-ASIDE ACT and MINORITY and WOMEN CERTIFICATION PROGRAM"; CERTIFICATE NO. 67157-15; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus to award the WIRELESS DIGITAL SIGNAGE and Communications Project to Viper Communications, in the amount of \$11,950.00 for Phase II.

The following resolution was read:

No. 2015-409

RESOLUTION RE: VEHICLE FUELING SERVICES

WHEREAS, the Town of Secaucus advertised on two separate occasions for bids to provide vehicle fueling services to municipal vehicles; and

WHEREAS, the Town received no bids in response to both efforts to advertise those services;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Secaucus award a contract to the Exxon Service Stations, Route 3 east and Route 3 West as the Town's primary stations to provide any type of gasoline or fuel for Town vehicles; and

BE IT FURTHER RESOLVED, that Speedway Station of Route 3 West shall serve as the Town's secondary station to provide such services; and

BE IT FURTHER RESOLVED, the Town has allocated a budget of \$275,000.00 for total gasoline usage for the term of this agreement; and

BE IT FURTHER RESOLVED, that this agreement shall be in effect for a period of twelve (12) months from the first day of the month following the date that this resolution has been adopted by the Town; and

BE IT FURTHER RESOLVED, that the Town shall have successive one (1) year options to renew this agreement for potentially a total of three (3) years; and

BE IT FURTHER RESOLVED that the annual budget of \$275,000.00 is established only for the first year of the agreement, and not for any successive renewal years.

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Councilman McKeever moved that the foregoing resolutions on the Consent Agenda be approved, seconded by Councilman Jeffas.

AYES: Jeffas, Costantino, McKeever, Clancy, Dehnert, Gonnelli
NAYS: None
ABSENT: Pirro

Motion
carried.

BINGO/RAFFLE APPLICATIONS

R-1372 Secaucus Emergency Fund On-Premise 50/50
R-1373 Secaucus Emergency Fund On-Premise Draw Raffle
R-1374 Guma Foundation Casino Night

Councilman Dehnert moved that the foregoing applications be approved, seconded by Councilman Clancy.

AYES: Jeffas, Costantino, McKeever, Clancy, Dehnert, Gonnelli
NAYS: None
ABSENT: Pirro

Motion
carried.

COMMUNICATIONS REQUIRING ACTION BY MAYOR AND COUNCIL

Matthew Bienkowski was accepted as a member of Tower 2 of the Secaucus Volunteer Fire Department.

George Spangenberg was reinstated as a member of Engine 3 of the Secaucus Fire Department.

Councilman Clancy moved to approve the foregoing requests, seconded by Councilman Costantino.

AYES: Jeffas, Costantino, McKeever, Clancy, Dehnert
NAYS: None
ABSTAIN: Gonnelli
ABSENT: Pirro

Motion
carried.

COMMITTEE REPORTS

Councilman Jeffas spoke about the Police Department Accreditation. He thanked all for their efforts.

Councilman Costantino agreed with Councilman Jeffas. He also spoke about the Community Pass and stated that it is a great tool for the Town. He said that paying by E-checks will be added to the program.

Mayor Gonnelli agreed and stated that it is a great tool to help collect outstanding revenue.

Councilman Clancy stated that the Shade Tree Committee will be starting their drive in March. He explained why it doing this so early in the planting season. He stated that the Committee will be asking for donations so that they can replant some of the trees that were lost last summer.

Councilman Dehnert stated that the Ice Rink is up and running. He offered some information on classes. He also spoke of other Recreation sign ups.

Councilman McKeever stated that tomorrow is Veteran's Day and there will be a presentation at the PAC Center. He also announced that the Olive Garden will be offering free dinners for Veterans on November 11, 2015. He also spoke about a green light program to honor Veterans.

Mayor Gonnelli thanked all publications that circulate in the Town and mentioned Mr. Evanson and his article regarding students who are going to Charter Schools.

UNFINISHED BUSINESS

Councilman Costantino encouraged residents to go to the Papermill Playhouse.

Councilman Clancy announced an upcoming event. He added information about repairs on the Rte. 3 Bridge and the delay to Fall of 2017.

Councilman McKeever spoke about tobacco use.

Mayor Gonnelli asked residents to sign up to the Reverse 911 system and explained how it can be done.

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NEW BUSINESS

Councilman Jeffas announced that the JSA will be holding a Town Forum in Town Hall on December 1, 2015. He added more information on upcoming events, especially on December 5, 2015. He added information about an upcoming clothing drive.

Councilman Costantino spoke about an upcoming health event.

Councilman Clancy spoke about residents in need of food and explained that the Emergency Food Pantry is looking for donations.

Councilman Dehnert spoke about the upcoming Toy Drive.

Mayor Gonnelli stated that the Tree Lighting at the Exchange is on November 29, 2015.

REMARKS OF CITIZENS

Councilman Costantino moved to adjourn the meeting at 7:50pm pm, seconded by Councilman Jeffas.

AYES: Jeffas, Costantino, McKeever, Clancy, Dehnert, Gonnelli

NAYS: None

ABSENT: Pirro

Motion
carried.

Michael Marra, Town Clerk